

Appln. No. 10/065,461
Docket No. 126800/GEN-0342

REMARKS / ARGUMENTS

Status of Claims

Claims 1-20 are pending in the application. Claims 1-14 and 18-20 stand rejected. Claims 15-17 are allowed.

Applicant has canceled Claims 1-14 and 18-20, and has added new Claims 21-23, leaving Claims 15-17 and 21-23 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §102(b) have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

Rejections Under 35 U.S.C. §102(b)

Claims 1-14 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Zenith, OPERATION AND MAINTENANCE MANUAL TRANSFER SWITCH CONTROL PANEL MX200 MICROPROCESSOR CONTROLLER, page 1-34, 1998, (hereinafter "Doc").

Applicant has canceled Claims 1-14 and 18-20 without prejudice, thereby rendering this objection moot.

Accordingly, Applicant respectfully submits that the Examiner's rejection under 35 U.S.C. §102(b) has been overcome, and requests that the Examiner reconsider and withdraw of this rejection.

Regarding New Claims 21-23

Applicant has added new Claims 21-23 to capture originally disclosed but previously unclaimed subject matter. No new matter has been added as antecedent support can be found in the application as originally filed, such as in originally filed Claims 15-17 for example. In view of Claims 21-23 mimicking the limitations of allowed Claims 15-17, albeit in means-plus-function language, Applicant submits that

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Claims 21-23 are allowable at least for the reason that Claims 15-17 are allowable, and respectfully requests entry and notice of allowance thereof.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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